



*THW*

Docket No.: 9668-C2-03-DCL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dennis George Anthony Nelson

Serial No.: 10/630,526

Group Art Unit: 1614

Filed: July 30, 2003

Examiner: Not yet assigned

For: COMPOSITIONS COMPRISING A POTASSIUM SALT ACTIVE INGREDIENT,  
INCLUDING ORAL COMPOSITIONS FOR REDUCING DENTAL NERVE AND SENSITIVITY  
COMPRISING A NON-MENTHOL FLAVORING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R. § 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION 1.8

I hereby certify that this correspondence and any documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27 day of July, 2004.

By: *Shirley Peters*

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney or agent of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. § 1.98 (a) (2), unless otherwise indicated herein, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

The following are also included, if applicable, and as required under 37 C.F.R § 1.98:

\_\_\_ In accordance with 37 C.F.R. § 1.98 (a) (3), the following concise explanation of the relevance of each listed reference that is not in the English language and is not accompanied by a translation into English or discussed in the present specification, is provided.

\_\_\_ The following listed references are not enclosed because, under 37 C.F.R. § 1.98 (c), they are substantially cumulative of the \_\_\_ reference:

\_\_\_ The following listed references are not enclosed because, under 37 C.F.R. § 1.98 (d), they were previously cited by or submitted to the Office in the \_\_\_ prior application, which is relied upon for an earlier filing date under 35 U.S.C. 120.

The certification specified in 37 C.F.R. § 1.97 (e), if required, is made below:

\_\_\_ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97 (e) (1).

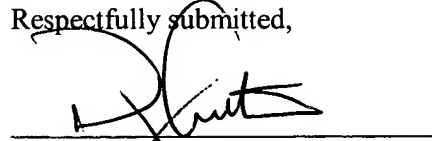
\_\_\_ I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97 (e) (2).

Please credit any overpayment or charge any additional fees to Deposit Account No.:  
23-0568.

Date:

7/27/04

Respectfully submitted,



Darryl C. Little  
Reg. No. 40,703  
Attorney For Applicant

Warner-Lambert Company LLC  
201 Tabor Road  
Morris Plains, NJ 07950  
(973) 385-4401

Sheet 1 of 1

|  |  |                              |
|--|--|------------------------------|
| FORM PTO-1449<br>(Rev. 2-32)<br>U.S. DEPARTMENT OF<br>COMMERCE PATENT AND<br>TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br><br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br><br>9668-C2-03-DCL | SERIAL NO.<br><br>10/630,526 |
|  | APPLICANT<br>Dennis G. A. Nelson       |                              |
|  | FILING DATE<br>July 30, 2003           | GROUP<br>1614                |

**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|-----------------|------|------|-------|----------|-------------------------------|
|                     |                 |      |      |       |          |                               |
|                     |                 |      |      |       |          |                               |
|                     |                 |      |      |       |          |                               |
|                     |                 |      |      |       |          |                               |
|                     |                 |      |      |       |          |                               |
|                     |                 |      |      |       |          |                               |

**FOREIGN PATENT DOCUMENTS**

|  | DOCUMENT NUMBER | DATE     | COUNTRY              | CLASS | SUBCLASS | TRANSLATION |    |
|--|-----------------|----------|----------------------|-------|----------|-------------|----|
|  |                 |          |                      |       |          | YES         | NO |
|  | 1 7 5 9 6 6 97  | 07/08/97 | Japanese translation |       |          |             |    |
|  | 1 2 4 3 8 9 7   | 01/14/97 | Japanese translation |       |          |             |    |
|  | 2 2 2 1 6 9 0   | 01/25/90 | Japanese translation |       |          |             |    |
|  | 1 1 1 9 1 1 87  | 05/22/87 | Japanese translation |       |          |             |    |
|  | 8 5 5 1 3 8 0   | 06/27/80 | Japanese translation |       |          |             |    |
|  | 9 2 8 6 0 9 4   | 04/05/94 | Japanese translation |       |          |             |    |
|  |                 |          |                      |       |          |             |    |
|  |                 |          |                      |       |          |             |    |

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc)**

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|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**ANY COPIES OF DOCUMENTS LISTED ON THIS FORM PTO-1449 SHOULD HAVE CERTAIN INFORMATION PLACED ALONG THE LEFT SIDE OF THE DOCUMENT. INFORMATION SUCH AS DOCKET NUMBER, FILING DATE, SERIAL NUMBER, ART UNIT, ETC.**

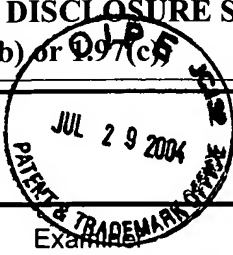
|   |               |                  |              |                |                              |  |
|---|---------------|------------------|--------------|----------------|------------------------------|--|
| <b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b><br>(Under 37 CFR 1.97(b) or 1.97(c))   |               |                  |              |                | Docket No.<br>9668-C2-03-DCL |  |
| In Re Application Of: <b>D. Nelson</b>  |               |                  |              |                |                              |  |
| Application No.   | Filing Date   | Examiner         | Customer No. | Group Art Unit | Confirmation No.             |  |
| 10/630,526  | July 30, 2003 | Not yet assigned | 29668        | 1614           |                              |  |
| Title: <b>Compositions Comprising A Potassium Salt Active Ingredient, Including Oral Compositions For Reducing Dental Nerve and Sensitivity Comprising a Non-Menthol Flavoring.</b>   |               |                  |              |                |                              |  |
| Address to:<br><b>Commissioner for Patents</b><br><b>P.O. Box 1450</b><br><b>Alexandria, VA 22313-1450</b>  |               |                  |              |                |                              |  |
| <b>37 CFR 1.97(b)</b>   |               |                  |              |                |                              |  |
| 1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. |               |                  |              |                |                              |  |
| <b>37 CFR 1.97(c)</b>   |               |                  |              |                |                              |  |
| 2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:   |               |                  |              |                |                              |  |
| <div style="margin-left: 40px;"> <input type="checkbox"/>   the statement specified in 37 CFR 1.97(e);         </div>   |               |                  |              |                |                              |  |
| <b>OR</b>   |               |                  |              |                |                              |  |
| <div style="margin-left: 40px;"> <input type="checkbox"/>   the fee set forth in 37 CFR 1.17(p).         </div>   |               |                  |              |                |                              |  |

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
9668-C2-03-DCL

In Re Application: D. Nelson



|                 |               |                  |              |                |                  |
|-----------------|---------------|------------------|--------------|----------------|------------------|
| Application No. | Filing Date   | Examined         | Customer No. | Group Art Unit | Confirmation No. |
| 10/630,526      | July 30, 2003 | Not yet assigned | 29668        | 1614           |                  |

Compositions Comprising A Potassium Salt Active Ingredient, Including Oral Compositions For  
Dental Nerve and Sensitivity Comprising a Non-Menthol Flavoring.

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-0450  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit  
account is being facsimile transmitted to the United States  
Patent and Trademark Office (Fax. No. \_\_\_\_\_)

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on  
7/27/04 with the U.S. Postal Service as first class  
mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

Signature of Person Mailing Correspondence

Lisa Peters

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by  
deposit account.

Signature

Dated: July 27, 2004

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CC: